

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

RONALD C. NODLAND,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security
Administration,

Defendant.

CV 22-130-BLG-TJC

ORDER

On May 26, 2023, the Court remanded this case to the Commissioner for further administrative proceedings. (Doc. 20.) That same day, the Clerk of Court entered a separate judgment. (Doc. 21.)

The parties have now filed a stipulated motion for attorney's fees under the Equal Access to Justice Act ("EAJA"). (Doc. 22.) The parties stipulate to an award to Plaintiff of \$7,200.00 in attorney's fees and \$402.00 in costs.

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that Plaintiff is awarded attorney fees in the amount of \$7,200.00 in attorney's fees and \$402.00 in costs, in full satisfaction and settlement of any and all claims Plaintiff may have under the EAJA in this case, and will satisfy all of Plaintiff's claims for fees, costs and expenses under 28 U.S.C. § 2412 in this case.

This award is subject to offset to satisfy any preexisting debt that Plaintiff owes the United States pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010) and the Treasury Offset Program, 31 U.S.C. § 3716. If, after receiving the Court's EAJA fee order, the Commissioner (1) determines that Plaintiff has assigned her right to EAJA fees to her attorney; (2) determines that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, and (3) agrees to waive the requirements of the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's attorney. However, if there is a debt owed under the Treasury Offset Program, the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney.

DATED this 21st day of August, 2023.



TIMOTHY J. CAVAN
United States Magistrate Judge